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MR. FISKE AND THE HISTORY OF NEW YORK.

BY MRS. SCHUYLER VAN RENSSELAER.

MR. JOHN FISKE'S recently published book on the Dutch and Quaker Colonies in America is framed on the same lines as his *Beginnings of New England* and his *Old Virginia and Her Neighbors*. It is not specifically the story of one town, and it ends with the year 1735. Yet Mr. Fiske devotes three-fourths of his 650 pages to the colonies founded by the Dutch; any account of them must be chiefly the story of their capital, and one that comes down to 1735 covers the periods that have been most generally misunderstood.

In former numbers of this REVIEW I tried to show why the early story of the town that was destined to be the capital of the "pivot province" and the Empire State has been misconceived and miswritten. Ignorance in regard to it has, of course, worked against the right understanding of the broad story of American colonial development. It has blotted out the memory or distorted the significance of many interesting events, and has too narrowly concentrated upon the colonies planted by the English our gratitude for the building of the Republic. Nothing else in the domain of American history is so much needed to-day as a true and reasonably full account of the youthful years of the city on Manhattan. This is what we hoped that Mr. Fiske would write. He has never been one of those thorough investigators of fundamental data and ideas whose conclusions are accepted by historical scholars, even when unfamiliar and unwelcome. But the great popular vogue of his books has been based upon a belief that facts so well presented, with such clarity of statement and such attractiveness of style, must have been well considered. He has shown less narrowness of vision in dealing with New England than some of her other sons. And the knowledge that his new book was to form part of a comprehensive history of the ante-

cedents and the formation of the Republic, supported the belief that it would be sympathetically approached and carefully prepared. But these expectations have been disappointed.

Our lack of competent historians could for generations be excused by the inaccessibility of our early records. In recent years we have well atoned for our forefathers' indifference in this respect. We have now a great store of excellent raw materials from which the historian may gather accurate information, and of admirable monographs helpful at every stage of his work. Even if he wishes to write briefly, however, and for a popular audience, he must sift and arrange these materials for himself. Even if he desires to paint no more than the chief scenes and figures of the long and varied panorama in their true outlines, in just perspective, and with proper lights and shadows, nevertheless he must select his own point of view, draw his own design, and mix his own colors. Moreover, industry, conscientious accuracy, and a friendly open-mindedness are peculiarly needful to make plain a tale which has been told in such a fashion that those who figure in it have been greatly underestimated.

Evidently, Mr. Fiske did not recognize these truths. Evidently, he did not study those sources of knowledge which have not yet been incorporated into easily accessible books; and on scores of pages he shows that he was very careless even in the use of the narratives and documents that he did consult. His mistakes in matters of fact are frequent and sometimes very grave. Some of them are simple repetitions of current errors. Others are resurrections of errors long ago buried under a convincing weight of evidence. And others again are novelties.

Moreover, although Mr. Fiske's formally pronounced estimate of the significance of the tale he has to tell is more justly sympathetic than that of many writers on American history, it is but slenderly supported by the specific judgments and passing comments that one finds in the course of his narrative. Here are the concluding words of his book:

"In the cosmopolitanism which showed itself so early in New Amsterdam and has ever since been fully maintained, there was added to American national life the variety, the flexibility, the generous breadth of view, the spirit of compromise and conciliation needful to save the nation from rigid provincialism. Among the circumstances which prepared the way for a rich and varied American nation, the preliminary settlement of the geographical centre by Dutchmen was certainly one of the most fortunate."

These are intelligent words, and the story of New York, if

intelligently told, would amply prove them such; but Mr. Fiske's readers may not unnaturally wonder a little why he wrote them. Before I say more, however, about his lack of sympathy for his theme, it will be well to show, by a few examples out of many that might be given, how incorrectly he has recorded the facts.

Perhaps the most interesting chapter in his book is the one called Verrazano and Hudson. But what may seem its most interesting portion must be taken with a good pinch of salt. Although Mr. Fiske confesses that the question does not admit of "dogmatic assurance," he is strongly tempted to believe that the "River of Norumbega" of the old geographers should be identified with the Hudson rather than the Penobscot, and that in 1540 there was a village of French fur-traders in Manhattan, probably, he thinks, on an island in the sheet of water that was afterwards so well known as the Collect Pond. For the reasons why these things should not be believed, his readers may turn to the chapter on Norumbega in Winsor's *Narrative and Critical History of America*. But a more definite word must here be said about the more important question whether or no an Englishman named Argall visited Manhattan in its earliest Dutch years.

If it were true that before New Amsterdam was founded Captain Argall and his companions warned the director of the Dutch fur-traders that they had a commission to expel him and "all alien intruders upon His Majesty's territories," and if it were true that by a letter forthwith sent to Virginia the director "submitted himself, company, and plantation to His Majesty and to the governor and government of Virginia," our judgment of the whole later history of New Netherland would be affected, for at every step it must concern itself with the question whether the Dutch or the English had a better right to New Netherland's soil. The words I have quoted, however, occur in a *Description of the Province of New Albion*, which professed to be the work of one Beauchamp Plantagenet of Belvil in New Albion, but, printed in 1648, was probably written by Plowden when the question of English rights to New Netherland had become a burning one, and he had found that his New Albion patent covered lands long possessed by the Dutch. Heylin and other early compilers paraphrased the so-called Plantagenet's tale, but it has no outside support. Fifty years ago Brodhead wrote that it seemed to him

fabulous, and its true—or, rather, its untrue—character has since been clearly and repeatedly demonstrated; for example, in a long note by Murphy, appended to De Vries's *Voyages in the Collections of the New York Historical Society* for the year 1857, and in the *Winsor History*. For many years no scholar or careful student has believed the story of Argall's visit. Yet Mr. Fiske repeats it without a question-mark, and, indeed, elaborates it, saying that Argall "scolded" the Dutch director and made him "haul down the Dutch flag and raise that of England."

The story of a similar visit paid to Manhattan in 1620 by another Englishman, Thomas Dermer, has more foundation. But Mr. Fiske's version of it rests only on second-hand or third-hand testimony; even this does not say that Dermer's interview with certain Hollanders took place on Manhattan itself; and neither there nor anywhere else in America could what Mr. Fiske calls "a multitude" of Dutch traders have been found in the year 1620.

In speaking of the patroonships to which the West Indian Company (the proprietors of New Netherland) granted almost feudal privileges, Mr. Fiske says that after the English conquest in 1664 "the patroons were confirmed in their estates, henceforth called manors." In fact, only one of the old patroonships had survived until this time—Rensselaerswyck, far up the Hudson River. The others had died a natural death or had been bought back by the West India Company. The survival of one, large and flourishing, undoubtedly prompted the erection of the manors that grew conspicuous in the eighteenth century. But the charters of these were framed after English patterns, and for the most part were not issued before the closing years of the seventeenth century.

In more than one semi-burlesque passage Mr. Fiske has taken Irving's *Knickerbocker History* as his guide. What should be said about the unfortunate influence of this book I tried to say in a former article. It is more than a pity—it is a misfortune—that Mr. Fiske should add himself to the long list of those who have incorporated its jests in professedly serious narratives. So interesting a writer does not need to enliven his pages with other people's caricatures; and, besides, the true story of the times of Van Twiller and Kieft is more picturesque than any travesty could be.

But *Knickerbocker* cannot be held responsible for Mr. Fiske's

statement that Domine Bogardus, who arrived with Governor Van Twiller in 1633, was New Amsterdam's first clergyman. Such appeared to be the case (for the official records of this period are scanty) until about fifty years ago, when Henry C. Murphy discovered in Holland a letter written from Manhattan in 1628 by one Domine Michaelius to a clerical friend at home. This letter is now one of the chief manuscript treasures of the Lenox Library, and translations of it have often been published—for example, in Miss Booth's History of New York, issued as long ago as 1859, and with annotations by Murphy in the Collections of the Historical Society for 1880. The fact that it identifies the first clergyman of New Amsterdam is the least of its claims to attention. It is a long letter and gives the only extant account, written by an eye witness, of the condition of the Dutch settlement in its earliest days. The original was bought by the Lenox Library in 1894. For half a century every one even superficially interested in the history of New York has known its value, and every writer has profited by it excepting Mr. Fiske.

In telling the often mistold story of Dutch and English rivalry on the banks of the Connecticut Mr. Fiske does not refer to the fact, now universally acknowledged, that the Say-and-Sele patent was a nullity, giving its holders no legal rights. He tells us that after English settlements had almost swamped the earlier Dutch fort on the site of Hartford, "the Dutch remained for some years unmolested there." They were not at once expelled, but molested they were at all times. Nor is it true that in America the Dutch and English people were "quite friendly inclined to one another," that their "antagonism and rivalry" sprang simply from "geographical necessity," and that their only available resource was a "game of bluff." Such a game the Dutch governors may seem to us to have played, but in their own eyes it was the best kind of earnestness that they could compass; and there was no bluff at all in the words and deeds of the New Englanders—there was a very practical aggressiveness, a steady determination to claim whatever lands they wanted, based on a consciousness of their superior strength and sharpened by a confessed dislike for those whom, partly on account of their liberality in matters of religion, they chose to call their "noxious neighbors." To read, for instance, how Governor Winthrop of Massachusetts wrote of the New Netherlanders in his famous diary, or how his son behaved

toward them when governor of Connecticut, is not to find that either was "friendly inclined" in their direction; and a very much stronger word than Mr. Fiske's "bickerings" ought to be applied to the troubles between the two peoples as they continued into Peter Stuyvesant's times.

In describing the terrible Indian war provoked by Governor Kieft, Mr. Fiske shows that he acted in despite of the prayers and warnings of certain conspicuous citizens, but does not make it plain that as a whole the people of Manhattan were blameless in the matter. Yet nothing in colonial literature is more impressive or more pathetic than the protests and explanations which they sent to Holland, and in which they deplore the sin and the shame as well as the material distress that their Governor's wicked rashness had brought upon them. Nor does Mr. Fiske clearly show how near these wars came to wiping out New Amsterdam, which had some 2,500 inhabitants when they began, but less than 1,000 when they ended, and, in spite of its prosperity during the latter part of Stuyvesant's term of rule, never recouped its losses until after the English arrived in 1664. Again, when Mr. Fiske speaks of Kieft's attempt to tax his people unjustly, he misses the really interesting point of the tale. In 1643 the Board of Eight Men—representatives of the people whose appointment Kieft had been forced by the perils of the war to sanction—had unwillingly agreed, provisionally and because of the dire distress of the moment, to the imposition of a direct tax on wine and beer; and this the people had paid. But when a heavy excise tax was again laid by the Governor's sole decree, the refusal to pay was not based simply on poverty or on the ground that the West India Company's right of taxation had not been delegated to their executive. The people objected to a direct tax as such when laid without their own consent, and the brewers and tapsters declared that if they paid it they would "offend the Eight Men and the whole Commonalty." This was New Amsterdam's first protest against "taxation without representation"; it was spoken when the first provocation was given, and it accurately foreshadowed the spirit of New York in Stamp Act days.

When Mr. Fiske approaches Peter Stuyvesant's times he lacks the courage to paint the governor's familiar figure in the veracious colors that would make it seem unfamiliar. Nothing in the singular story of the history-writing of New York is more

curious than the way in which Stuyvesant's memory has been guarded from the light of truth. It is the one and only point where we have shown that "filio-pietistic" spirit which, for generations, New England writers displayed toward the whole of their story. We have forgotten that "Father Stuyvesant" more than once narrowly escaped deposition by the home authorities and, as long as he bore rule in New Netherland, was generally, bitterly, and deservedly hated there. We forget that he was not called Father Stuyvesant then, but names of quite another kind—like "our old Muscovy wolf." We remember him with indulgent affection partly because his words and deeds dropped out of mind, but the long survival of his farm, his house, his church, and his pear-tree kept his figure definite when all other New Amsterdammers were fading into shadowy silhouettes, partly because Knickerbocker painted no other with any worthy qualities, and partly because of the mere picturesqueness of his violent temper and his wooden leg.

In speaking of Stuyvesant Mr. Fiske does just as many others have done. He is forced to cite words and deeds that reveal an unpleasing figure, and then he sums up its characteristics in very laudatory words. A "noble, honest, headstrong, opinionated, generous, kindly, conscientious, eager, lion-hearted old soldier," he writes, using adjectives almost identical with Knickerbocker's as quoted on another page. But there is no authority for the "generous," the "kindly," or the "noble"—not even in the tale that Mr. Fiske himself recites. It was not noble, generous, or kindly to declare that resistance to authority is always deeply criminal, no matter what the provocation may be, or so to manage the trial of adversaries that "with shameless disregard of evidence a prearranged verdict of guilty was rendered," or to instigate religious persecutions that "redound to the discredit, not of New Netherland, but of Stuyvesant." The words I cite are Mr. Fiske's; and if he had loyally interpreted the traits that he thus indicates he would not have spoken at all of nobleness or kindness, and would have shown Stuyvesant's conscientiousness as that of a narrow-minded, conceited, ill-tempered, meddling, and not always straightforward tyrant, who was honest, indeed, in money matters, faithful to the material interests of his employers, and anxious for the welfare of his province, but who despised his provincials, wished them to prosper in such ways only as he

saw fit, and bitterly resented any sign of individual or corporate independence as treason to the Company and a personal insult to himself. To say that such a ruler as the voluminous papers of the time show Stuyvesant to have been was "none the less lovable and admirable because he stood for principles of government that have become discredited," is to speak in a way of which Mr. Fiske would hardly approve were the subject some "conscientious" exponent of the ideas of Philip II., James II., or George III. Moreover, it implies that the principles of government for which Stuyvesant stood were not discredited in his own days; and they were, of course, in his European fatherland and among his own New Netherlanders as well as in neighboring colonies. The Dutch Government interfered more than once to loosen the West India Company's despotic grasp upon its province; yet Stuyvesant's ideas were so much more despotic than the Company's that he disobeyed it with regard to the municipal privileges it was forced to grant to New Amsterdam, and was severely censured by it for his intolerance in matters of religion.

It is a great pity that Mr. Fiske did not throw Stuyvesant's character into true relief by contrasting it with that of Adrian Van der Donck, who was the true Father of New Amsterdam, but whose very name has been almost forgotten. Injustice is done to Van der Donck by the statement that he "is notoriously untrustworthy for matters outside of his own personal knowledge; he no more thinks of sifting his statements than any other old gossip." Of course, no one in that age sifted his statements as modern authors are supposed to do. But Van der Donck's writings are for their time exceptionally sober and restrained. They are much less like those of an old gossip than, for example, the more famous writings of John Josselyn, which tell us of New England barley that degenerated into oats and of frogs that sat on their haunches a foot in height. Nor do we find in them any sign of that appetite for the pathologically and diabolically marvellous which Governor Winthrop showed in more passages than the revolting ones about the deformed infant of the schismatic Anne Hutchinson.*

*One of the most interesting passages in Van der Donck's Description of New Netherland is probably the first plea for forest preservation that was framed in America. He says, writing about the year 1655: "There actually is such an abundance of wood in the New Netherlands that, with ordinary care, it will never be scarce there. There always are, however, in every country some people so improvident that even they may come short here; and for this reason we judge that it should not be destroyed needlessly." These are not the words of a man who

To say that the purposes of Stuyvesant in opposing and of Van der Donck in furthering the people's desire for some degree of self-government were "equally honorable," and that the struggle was "simply one theory of government contending against another," is, again, to confuse the mind of readers whom Mr. Fiske himself, in other books, has helped to inspire with the belief that such struggles have a right and a wrong side, and that our estimate of men should be affected by the question whether they fought for or against the progress of humanity. Moreover, such a summing-up detracts from the significance of Van der Donck's figure as representing his fellow-colonists.

But Mr. Fiske's lack of genuine interest in the facts and the meaning of this chapter in our annals is clearly shown by his careless mention of certain papers, protesting against the misgovernment of the West India Company, that were sent to the States-General of Holland in 1649 by the hands of Van der Donck and two colleagues.

Stuyvesant had unwillingly permitted a Board of Nine Men to be elected by the people, to aid him in his judicial duties, and to give him advice which he could accept or not as he chose. Mr. Fiske says that these Nine Men "prepared a memorial to the States-General," that "attached to this memorial was an eloquent *Vertoogh* or Remonstrance"; that in the course of the memorial "the Nine Men invite the attention of the States-General to the golden example set by their neighbors of New England" in political matters; and that "such is the kind of government they wish to imitate in New Netherland."

No paper called a memorial was prepared at this time; and none with any title was sent by the Nine Men in their own name excepting a brief letter introducing Van der Donck and his companions as the people's spokesmen. The documents in question were a Petition from the Commonalty of New Netherland, Additional Observations on the Preceding Petition, and a long explanatory dissertation called the Remonstrance of New Netherland and the Occurrences There by the People of New Netherland. All of these were signed, explicitly on behalf of the people, by eleven citizens, actual or former members of the Board of Nine Men. In wrote in the spirit of an old gossip; and I commend to the attention of Mr. Fiske's readers Van der Donck's essay on the beaver (included in his *Description*), which, I think, is as good an example of scientific writing, in the seventeenth century sense of the term, as could easily be found.

none of them is the golden political example of New England mentioned. And, although such mention does occur in certain footnotes attached to the Additional Observations, it has not the meaning that Mr. Fiske reads into it. The nature of the New England governments is explained to show that colonies flourish better under free than under despotic institutions, and that the former may be well adapted to American conditions. But what the people ask for, in the Petition and in the Additional Observations, is very distinctly stated: "Suitable burgher (*borgerlycke*) government, such as your High Mightinesses shall consider adapted to the province, and somewhat resembling the laudable government of our Fatherland."

In making this radical mistake Mr. Fiske follows in the steps of Bancroft who, writing before the records of our early days were published, believed that New Netherland got its desire for self-government from the example set by New England and through the direct influence of the many New Englanders who had settled within its own borders. But this influx had barely begun when, in the time of Governor Kieft, New Amsterdam first demanded political rights. Then, and at every later step in the story, we read the same request—never for a copy or a paraphrase of New England's arrangements, but always for "suitable burgher government" of the pattern long known in Holland. And in this shape municipal liberties were finally granted to New Amsterdam and to neighboring towns.

"In a spirit of mistaken caution," Mr. Fiske writes again, "the West India Company had instructed the Director to give the public offices to none but Dutchmen." What the Company really said on this point, at the time when municipal freedom was granted, was that in filling offices, "Every attention must be paid to honest and respectable individuals, who, we hope, can be found among the burghers; and especially do we wish that those promoted thereto be as much as possible persons of this nation who, we suppose, will give the most satisfaction to the burghers and inhabitants."

Again, Mr. Fiske tells us that Stuyvesant "retained in his own hands" the appointment of these officials, although the West India Company had ordered that they should be elected. This is true; but it should also have been said that, a few years later, the people forced Stuyvesant to surrender the usurped rights.

These are only some of the most important points where Mr.

Fiske goes astray in his account of the Dutch period in New York; and he errs again in representing the people as so well content with the rule of Nicolls, their first English Governor, that "the four years of his governorship were long remembered as a kind of golden age in the history of the colony." Twice, at least, Nicolls's colonials bitterly resented his acts as infringements of definite promises—when he summoned only the people of Long Island and Westchester to consider his new code, called the Duke's Laws, and when he blotted out the municipal rights of New Amsterdam. Also, they objected to the establishment of trial by jury, which Mr. Fiske refers to as a benefit, preferring their own simpler ways of securing justice. And the eager welcome they gave to the Dutch squadron which recaptured New York in 1673 certainly does not indicate that they had "felt that their rights were better protected" during Nicolls's administration "than ever before."

But the most disappointing chapter in Mr. Fiske's book is, perhaps, the one called the Downfall of the Stuarts. It includes the story of Jacob Leisler, and with this, at least, Mr. Fiske should have taken pains, for in an earlier book he had referred to it as more full of human interest than any other of pre-Revolutionary times, excepting only the story of Bacon's Rebellion in Virginia. Materials for its right presentation abound, but are difficult to deal with on account of their confused and violently partisan character. Mr. Fiske seems to have shirked the task of examining and collating them; yet it was an imperative one, for their contents have never been set forth in detail, and seldom with fairness.

Mr. Fiske says, very sensibly, that "concerning Leisler's integrity of purpose there can be little doubt." He understands that in the spring of 1689—in the unsettled time when the crown of England was passing from the Catholic James to his Protestant daughter and her husband, and when the imprisonment of Sir Edmund Andros in Boston left New York in charge of a weak and distrusted Lieutenant-Governor—Leisler and his friends thought the province in imminent danger, and had some good reasons for their belief. He also understands that when this German merchant took control of the affairs of the province he felt that he was loyally serving the new sovereigns. He does not regard him as a vulgar usurper or a mere demagogue. But he does paint him as a very rash and stupid person who could not grasp the real facts of the situation, "a crank with his brain

dominated by a narrow group of morbid, fixed ideas," who, toward the end of his career, showed such "almost incredible fatuity" that our verdict must be "evidently the poor man's mind was dazed." The records of the time, if read in their entirety, reveal a very different figure. They show that, although Leisler had faults and fell into mistakes, his chief blunder was in underestimating the interest that William's government took in its province of New York, and the willingness of its appointees to deal fairly by all New Yorkers. They show that from beginning to end his course was consistent and logical, that he was in many ways more intelligent than most of his contemporaries, and that even toward the last he was not at all "dazed," but clearly understood that to hold any other attitude than the one he did hold would be to confess that all his acts for a space of more than two years had been unlawful. The impression given by any real study of the contemporary documents, although many of them are virulently anti-Leislerian, is that if this plain, untrained and passionate, but conscientious, patriotic, energetic, and in some ways broad-visioned German merchant had been the governor of a province under better conditions, he might have been one of the very best that our colonial times anywhere produced.

Mr. Fiske does not clearly show how large a part the people of New York played in putting Leisler into power; or how distinctly he based his right to power upon their support; or how hard he tried to respect the forms of law while forced into many arbitrary acts by the exigencies of his difficult task; or how this task was complicated and his arbitrariness was provoked by the opposition, very active and very selfish and unscrupulous, of that "aristocratic" party whose leaders had been officeholders under King James; or how frequently and insistently he wrote to England explaining all his acts, asking that they might be sanctioned, and begging that orders for the government of the province might be sent; or how long these orders were delayed; or how surely the province would have been given over to anarchy, distress, and danger if meanwhile Leisler had laid down his power.

Mr. Fiske tells us that Leisler was a German, married to a Dutch wife, and also that his letters are "those of a man with too little education to shape his sentences correctly": but he does not add that these letters were written in English. He speaks of Leisler's fear and hatred of Papists, but does not explain that he

naturally imbibed these feelings, being the son of a clergyman who, when driven out of the Palatinate by the French wars, ministered to other refugees from Catholic persecution at Frankfurt-on-the-Main. Then, "vague democratic ideas and hopes still hazier were in the air," is not a good description of the attitude of the people in a place where the democratic spirit had always prevailed, and where rights of assembly had long been desired, had recently been granted for a brief time, and then had been taken away. The New Yorkers of 1689 knew quite as well what they hoped for from William and Mary as what they dreaded at the hands of the French King and his Canadian subjects, and also at the hands of James II. should the French King restore him to the throne. This would have been made clearer if Mr. Fiske had even explained that, when King James cancelled the Charter of Liberties which he had permitted to take effect while he was still the Duke of York, it was chiefly because, as his advisers pointed out, this document (drawn up by the New Yorkers in their first provincial assembly) named "the people" as entitled to political rights, while so definite a term had not been used in any other colonial charter or patent.

Mr. Fiske dwells upon the signs of popular discontent with Leisler's government that gradually displayed themselves, but, mentioning none of an opposite kind, leaves us to wonder how Leisler retained his power, for he had no soldiers excepting volunteers who could have deserted him at any moment.

The most important incident in Leisler's story Mr. Fiske mentions only in a foot-note. This was the arrival, in December, 1689, of the first orders that William's government had sent to New York. Mr. Fiske says that the letter containing them "was not addressed to Nicholson by name, but to 'Our Lieutenant-Governor and Commander-in-Chief of our Province of New York in America.'" The superscription may be found in Brodhead as well as in our Colonial Documents. It reads:

"To our Trusty and wellbelovd Francis Nicholson Esqre our Lieut Governor and Commander in Chief of our Province in New York in America, and in his absence to such as for the time being take care for Preserving the Peace and administring the Lawes in our said Province of New York in America."

Nicholson was absent when the letter arrived; he had abandoned his post and returned to England, arriving there before the letter was sent, although not before it had been prepared. Only

three of the councillors appointed by King James had been in New York when he left; and his dilatoriness and theirs in recognizing the change of dynasty had been the prime cause why the people refused to recognize the authority he deputed to them, and put Leisler at the head of affairs. Therefore, although it may have been questionable logic, it was certainly not, as Mr. Fiske asserts, "crank logic" that led Leisler to claim the king's letter and to consider himself charged with the responsibilities conferred by its words, which declared:

"We do hereby authorize and Impower you to take upon you the Government of the said Province, calling to your assistance in the administration thereof the Principal Freeholders and Inhabitants of the same or so many of them as you shall think fitt."

Moreover, the superscription on this letter closely resembled that on the orders previously sent to Massachusetts, and these had temporarily confirmed in their power the magistrates whom the people had installed when, with much more violence than the Leislerians used, they had thrown Governor Andros and his colleagues into jail. Leisler based all his subsequent words and deeds upon his belief that he had a right to receive this letter and to act upon its instructions, conjointly with his belief that the people had had a right to make him the guardian of their interest in a time of utter uncertainty, confusion, and peril. In reports sent to England he carefully explained how and why he had claimed the letter, not concealing the fact that two of the councillors of the deposed king had "pretended thereunto."

And when, in 1698, the parliament of England rehabilitated his memory, cancelling the judgments of the court in New York, it sustained his course, saying that he had been "confirmed" in the power that the people had bestowed upon him by His Majesty's letter of July 30th, 1689.

Excepting the vague and provisional instructions contained in this letter no orders whatever came from England between the breaking out of the troubles in the spring of 1689 and the beginning of the year 1691. Even when, in December, 1690, a new Governor, Henry Sloughter, set sail for New York, his advent had not been announced to the people he was to rule, although his commission had been issued more than a year before. His ship was driven by stress of weather to Bermuda, and one of his subordinates, Major Ingoldsby, reached Manhattan some weeks in advance of him. Mr. Fiske says that Leisler would not yield

the fort to Ingoldsby without a written order from the king or the governor, and "unfortunately Ingoldsby had no official documents with him." Ingoldsby could have had no documents entitling him to demand possession of the fort. His major's commission simply gave him command of a portion of the troops that had been sent out, and ordered him to submit himself to the ruler of the province. It did not authorize him under any conditions to represent the governor or to exercise his powers; these rights had been conferred on the governor's council. Both he and Leisler knew, of course, that to surrender the fort would be to hand over the civil power as well. Leisler understood that to make such a transfer, excepting to a properly accredited official, would mean a confession that from the first he had had no right to his power. And he also saw that it would involve him in great danger, for the local enemies who, from the first, had traduced as well as opposed him, had instantly gained Ingoldsby's ear.

Mr. Fiske's account of the events next in order is practically the same that has often been written before, but never by any one who had carefully examined the contemporary documents. These show that Leisler offered Ingoldsby and his soldiers courteous entertainment outside the fort; that the disorders that broke out before the governor arrived were much more the fault of Ingoldsby and the local "aristocrats" than of Leisler, and that the first of the shots exchanged between the fort and the king's troops were probably fired by the latter. Nor is "almost incredible fatuity" the term to apply to Leisler's conduct in not yielding up the fort as soon as Sloughter's arrival was announced to him. His course at this moment was still the logical outcome of the attitude he had held for almost two years, and it was still based upon the belief that William must have meant to sanction his course as that of a loyal and a lawfully appointed temporary guardian of the king's own interests. His next step is also incorrectly reported. He soon saw that he could expect no recognition whatever from Sloughter, and on the morning following the latter's arrival sent him a letter. Mr. Fiske says it was "a conciliatory letter—disclaiming any wish to withhold the fort from him, but asking further explanation on certain points." As any reader may see, for it is printed in the appendix to Mr. Fiske's book, it is really a letter of surrender, and it asks for no explanations but simply prays that the writer may be treated in the way

due to a person ready to give "an exact account of all his actions and conduct."

Mr. Fiske relates that at the trial of Leisler, of his chief supporter, Jacob Milborne, and of several of their adherents, the prisoners "were charged with treason and murder for refusing to surrender the fort upon Ingoldsby's arrival, and for firing upon his troops and thereby causing wanton and wicked destruction of life." In fact, the indictment confused dates in a seriously unjust way, making the case against the prisoners much stronger. It charged that the fort had been "forcibly held," not against Ingoldsby, but against Sloughter himself, and that shots had been fired from it after instead of before his arrival—an assertion made in no other contemporary document.

Seeing how Mr. Fiske has misunderstood the whole antecedent story, we are not surprised to find that he says, in regard to the tragic conclusion of the trial, that the execution of Leisler and Milborne "was, of course, entirely legal," although "it was afterward generally admitted" to have been "a great mistake." But a different judgment in regard to the legality of the execution has been passed by other modern writers; and at all events, Mr. Fiske should have shown that justice had been grievously outraged by the character of the trial, and was outraged again when Sloughter decided to hang Leisler and Milborne after permitting them to appeal to the King.

Sloughter had been distinctly charged to "examine strictly and impartially" into the state of affairs in New York and to render "a true and faithful account thereof." Instead, he refused to hear any explanations from Leisler or his friends, but opened his ears to their bitter enemies and assigned to these important parts in the legal proceedings—even the preliminary examination of the prisoners with a view to their commitment for trial. Again, it is an interesting point, which Mr. Fiske does not mention, that while some of their comrades were tried and condemned upon evidence, Leisler and Milborne denied the competency of the court, refused to plead, and were condemned as "mutes." And when Mr. Fiske writes that Leisler behaved on the scaffold with "Christian dignity," but Milborne "spoke in a tone of vindictive anger," his words should again be tested by reference to one of the documents he has placed in his appendix. This shows that in general Milborne spoke as piously and forgivingly as Leisler,

although, when he saw Robert Livingston, one of the anti-Leislerian leaders, in the gazing crowd, he exclaimed: "You have caused the King that I must now die, but before God's tribunal I will implead you for the same."

Only when we know all these facts, and many others that throw upon the whole story a very different light from the one that Mr. Fiske reads it by, can we understand why the Leislerian party retained its title and its vitality for many years, and was strong enough to regain the upper hand in local affairs. But although Mr. Fiske reprints a few of the best-known among contemporary documents, it is plain that he did not master them all; and he refers his readers for fuller information, not to them, but to certain modern novels, although they may be found in such easily accessible works as the *Documentary History of New York*, the *Documents Relating to the Colonial History of New York*, and the *Collections of the Historical Society*.

We need not follow Mr. Fiske through the concluding portions of his story of New York. But another word must be said about the attitude of mind in which he approached his theme.

I think that the chief reason why he approached the story of New Netherland less sympathetically than those of Virginia and New England may be found in his tendency to make the political condition of a community almost the sole test of its temper, its ideals, and its social state in the broad meaning of the term. He is genuinely interested in the development of liberal ideas, the growth and consolidation of popular freedom—otherwise he would hardly spend his time upon the history of the United States. But he identifies the love and enjoyment of liberty too closely with the character of current political institutions. Of course, the latter most often bear truthful, if incomplete, witness to the existence or absence of the former. But sometimes they do not, and such was the case in New Netherland, where natives of the freest and most advanced country in Europe found themselves under the despotic hand of a selfish mercantile corporation. The fact that these people did not greatly interest Mr. Fiske is proved by the half-humorous or patronizing tone he often adopts, even when he is not quoting Knickerbocker. And I think he would have been more deeply interested if he had more fully digested the truth that, in spite of untoward political conditions, these people

were more liberal, more progressive, more democratic than any others in the America of their time.

A few among many possible proofs of this assertion may suffice us here, if my readers will contrast the social state they indicate with that of the other colonies during their first fifty years. In New Amsterdam class distinctions were not recognized, and such slight social eminence as could be compassed was earned on the spot, and was as well within the reach of the humbly as of the nobly born. Sumptuary laws were not thought of in New Amsterdam, nor mandates in regard to minor matters of conduct as supposedly right or wrong. The education of women was considered as essential as that of men, and they were granted an exceptionally independent place in family life, and freedom to engage on their own account in commercial life even in its most important branches. Rights of entail were not recognized, and daughters shared equally with sons in their parents' estates. Men of all nations were welcomed to the colony on equal terms; such political rights as existed were not limited by any facts of birth or of faith; and in no other way was liberty of conscience infringed upon. The privilege of free thought was unquestioned, and even the passionate efforts of Stuyvesant to suppress free speech proved unavailing. Excepting along the political path, individualism had a much freer chance to develop among the Dutch Americans than among the New Englanders, while the men of Massachusetts and New Haven were far from free even politically, for the value of their republican institutions was impaired by the narrow, undemocratic spirit in which they were administered. The more we study the condition of New Amsterdam the more convinced we are that, if a modern American could pay it a visit, he might feel quite comfortably at home. Can we say as much of any place in early New England?

A recognition of the peculiarly strong democratic spirit of seventeenth century New York puts into an historian's hand the thread upon which the events in its story should be strung. If Mr. Fiske had firmly grasped this thread he would have told his story better at many important points. He would have noticed the fact that the semi-feudal patroonships did not flourish in the neighborhood of New Amsterdam. He would have emphasized more strongly the way in which, during the Indian wars of Governor Kieft, the people seized their first slender chance to claim a share

in the management of their own concerns. He would have set in a truer light the stages of the struggle in which Van der Donck and Stuyvesant figured, accentuating the essentially Dutch character of the people's demands, and calling attention to the fact that the English among them did not help but deliberately hindered their efforts. He would have described more faithfully than he has done the temper of the province while it was ruled by its first English governor. He would have treated the events of Leisler's time more intelligently, showing how largely they were determined by the recent birth of an aristocratic party in New York. He would have seen something more than "what would have been a ludicrous farce if it had not been so execrably wicked" in the prosecution of Nicholas Bayard by the Leislerian party in 1702, and would not have called it a mere scheme of revenge for the execution of Leisler and Milborne. He would have noticed the trial of Francis Makemie in 1706, which settled the question of religious liberty for New York and struck the first direct blow at the royal prerogative. He would have mentioned the remarkable series of Resolutions passed by the Assembly in 1708, and sundry other bold legislative utterances and deeds which illustrated the steady intention of the royal province to widen its liberties. And thus he would have given a fine dramatic and a right historical effectiveness to his really excellent account of the Zenger trial in 1734.

This trial of a newspaper editor for libel and treason because he had criticised the government should have been set in its true light as the natural climax of a long conflict—as the natural result of New Amsterdam's liberal spirit and its belief in the right of free speech, persistent for a hundred years in spite of political conditions more unfavorable to their development than those of any other colony. And if Mr. Fiske had done this he would surely have completed his account of the Zenger trial with a word that now is lacking. He would not merely have said that it "deserves mention in every account of the development of political liberty." He would have underlined the fact that its result—the establishment of freedom of the press for all the colonies—was the greatest victory compassed in America by the democratic spirit before the signing of the Declaration of Independence, and the one that made all others possible.

M. G. VAN RENSSELAER.